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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 UNITED STATES OF AMERICA,

2:16-cr-00100-GMN-PAL

10 Plaintiff,

GOVERNMENT'S REPLY TO  
DEFENDANT'S RESPONSE TO  
MOTION TO CONTINUE TRIAL DATE

11 vs.

12 JAN ROUVEN FUECHTENER,

13 Defendant.

14 The United States of America, through the undersigned, respectfully submits  
15 that a short continuance of the trial and respective pre-trial deadlines in the above-  
16 captioned matter is warranted.

17 In responding to the Government's motion, the Defendant misapprehends the  
18 Government's request. First, the Government sought to extend *pre-trial deadlines*  
19 currently set for May 26, 2016, based upon conflicts with AUSA Silva's trial schedule.<sup>1</sup>  
20 By failing to object to the Government's request to continue the *pre-trial deadlines*, the  
21 defense concedes that a short continuance is warranted. Second, irrespective of the

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23 <sup>1</sup> AUSA Silva's travel schedule now permits her to be available for the May 31, 2016 calendar  
call date, as she is out of the district from June 1 to June 5, 2016.

1 Court's unavailability, the Government is seeking a short continuance to June 13,  
2 2016, based upon AUSA Silva's trial and travel schedule. In terms of trial  
3 preparededness, the Government will be ready to go to trial on June 13, 2016.

4 This continuance will not violate the Defendant's speedy trial rights. The  
5 speedy trial clock began to run on April 6, 2016 when the Defendant was arraigned.  
6 *United States v. Daychild*, 357 F.3d 1082, 1090 (9th Cir. 2004). The speedy trial clock  
7 was then immediately tolled until April 19, 2016, when this Court decided the  
8 Defendant's appeal to his order of detention, ECF No. 24. 18 U.S.C. § 3161(h)(1)(C),  
9 (D), (H). Considering excludable time, the Defendant's speedy trial clock will not run  
10 until June 28, 2016, and the requested continuance falls well within the deadline.<sup>2</sup>

11 The Government respectfully requests that the Court grant this motion to  
12 continue trial pre-trial deadlines based on the unavailability of the Government's  
13 attorney during the dates currently scheduled for pre-trial deadlines, and continue  
14 trial until June 13, 2016.

15 DATED this 24th day of May, 2016.

16 DANIEL G. BOGDEN  
17 United States Attorney

18 //s//

19 CRISTINA D. SILVA  
20 ELHAM ROOHANI  
21 Assistant United States Attorneys

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23 <sup>2</sup> The Defendant's allegations about discovery are belied by the Defendant's own response that  
24 the Government has produced over 3000 pages of discovery thus far, has made available the  
computer data for the defense's review since April 11, 2016, and has enabled the defense to  
"work on the case during this time frame." ECF No. 36, at 2-3. The Government has, and will  
continue to, abide by its ongoing discovery obligations.